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Federal Communications Commission
Washington, D.C. 20554

CC 92-77

November 15, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DOCKET FILE COPY ORIGINAL

Mr. G. E. Wilson
Warden
Centre County Prison
213 East High Street
Bellefonte, Pennsylvania 16823

Dear Mr. Wilson:

Thank you for your letter to Chairman Reed E. Hundt regarding the Commission's Billed Party Preference (BPP) proceeding, and the potential effect of BPP on prisons and correction facilities.

On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

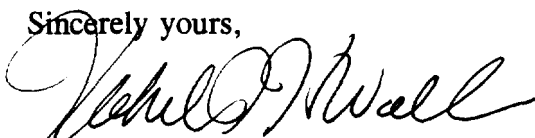
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Mr. G. E. Wilson
Page 2

I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP. In addition, your letter will be included in the permanent record.

Sincerely yours,

A handwritten signature in cursive script, appearing to read 'Kathleen M.H. Wallman', written in black ink.

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosure

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United S'

COMMITTEE ON
WASHINGTON, DC

October 12, 1994

Ms. Lauren J. Belzin
Acting Director
Office of Legislative Affairs
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Belzin:

I have been contacted by Mr. G.E. Wilson, Warden of the Centre County Prison in Bellefonte, Pennsylvania, who wrote to me to express his opposition to the Billed Party Preference for inmate phones.

Enclosed is a copy of his letter for your review. Please accord this matter all due consideration. I have informed Mr. Wilson that his inquiry has been referred to your office, and I would appreciate your **responding to Mr. Wilson directly.**

Thank you for your assistance in this matter.

Sincerely,



Arlen Specter

AS/rbg
Enclosure



CENTRE COUNTY PRISON

213 East High Street
Bellefonte, PA 16823
(814) 355-6794

1994 JUL 1 10 5:30

G. E. WILSON
Warden

DENNIS K. FETZER
Deputy Warden

July 1, 1994

The Honorable Rood Hundt
Federal Communications Commissions
1919 M. Street, N.W.
Washington, D.C. 20554

RE: Billed Party Preferences
CC Docket No. 92-77

Dear Sir,

I am writing to express my strong opposition to the BPP for inmate phones. Implementation of such a policy will prove disastrous to prison's and corrections and facilities which are obligated by policy, practice and law to protect society from the depredations, harm and scams of our committed criminally convicted populations.

The present inmate collect call systems are designed to provide security, evidence trails and protection from criminal harassing phone calls from inmates to victims, courts, business, etc...while providing needed and desirable contact, communications and social links with friends and family.

The BPP policy would mean that prisons and correctional facilities would lose monitoring and physical control of any and all phone calls including evidence trails of offenders who chose to continue their criminal activities.

Some very predictable outcomes of the BPP Policy would be as follows.

1. Harassing, threatening and terrorizing phone calls to victims, judges, police, parole departments and public defenders and of course, victims.
2. Massive credit card frauds such as already has taken place in some facilities which have victimized the public and in numerous cases, the prison staff.

3. Ability of inmates to plan, manage and order, without control or fear of apprehension, new crimes and depredations.

The prisons and correctional facilities would have to take measures to eliminate the infinite amount of security risk at the expense of the inmates by eliminating or severely reducing numbers of phone calls made by inmates to the outside thus severely affecting their desperately needed social links.

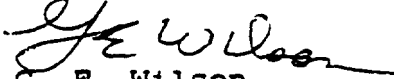
The Inmate Commissary funds would lose significant income that would adversely affect the availability of such inmate benefits and privileges as cable TV, movies, recreational equipment, computer and educational supplies, supplies for Drug and Alcohol and psycho therapy programs.

The elimination of phone commissions source would increase public tax expenditures and would result in elimination of badly needed treatment programs.

The assertion of unreasonable costs for inmate collect calls are a realistic concern. However it appears to me that the competitive aspect of competing companies are and will control costs as will public resistance to extraordinary cost for collect calls.

It is my belief that the BPP Policy would have the effect of increasing costs to inmate families and limit numbers of contacts able to handled by facilities and increase the use of public funds (taxes). Decrease equipment and supplies available for the use of inmates for recreation and off time. Significantly increase the potential for fraudulent activities by inmates.

Sincerely,


G. E. Wilson
Warden

cc: Representative Clinger
Senator Spector
Senator Wofford